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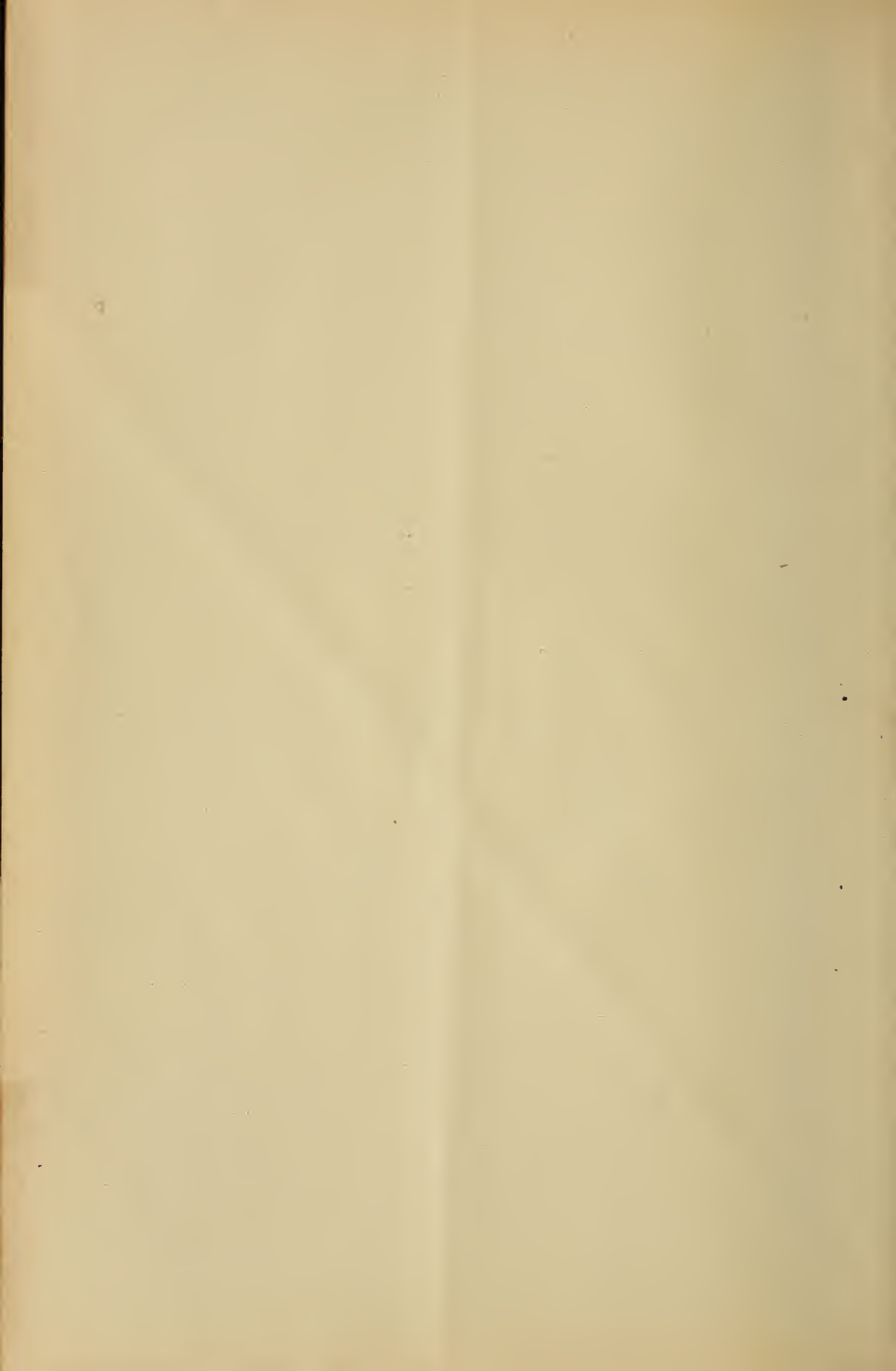
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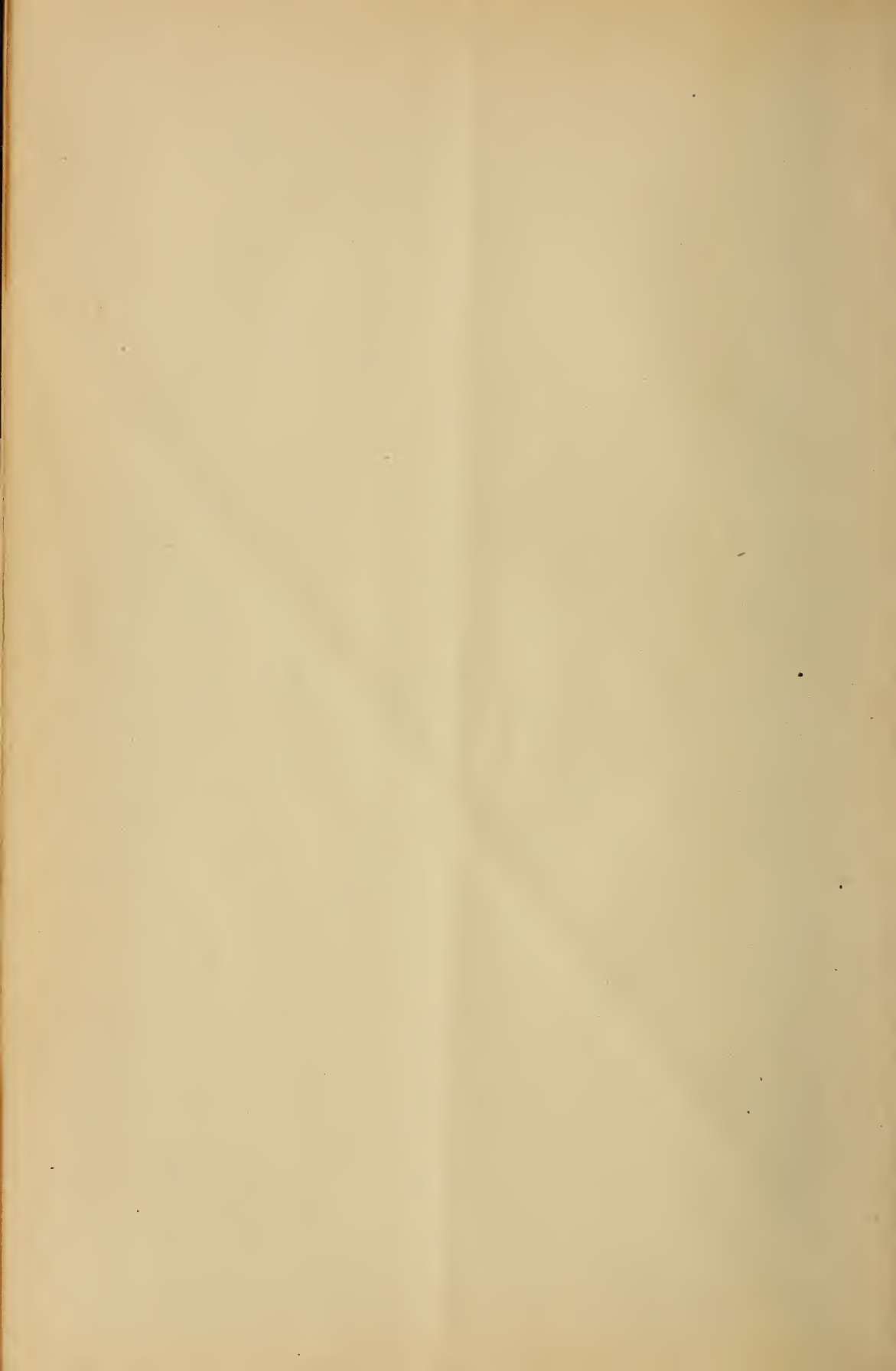
1881

UNITED STATES OF AMERICA.

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PRICE, TEN CENTS.

CIVIL GOVERNMENT
IN IOWA.

BY PRINCIPAL J. MACY.

CIVIL GOVERNMENT

IN

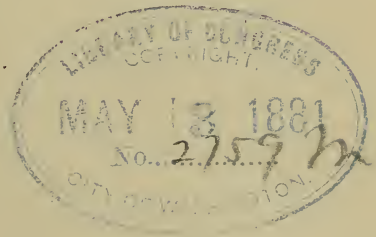
IOWA.

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AN OUTLINE

FOR USE IN COMMON SCHOOLS.

25.8
BY PRINCIPAL J. MACY.



GRINNELL, IOWA :

CRAVATH & SHAW, PUBLISHERS.

1881.

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PREFACE.

The way to understand animals is to study animals. Not pictures of animals, not descriptions of animals, not theories about animals, but real, live, flesh and blood animals should be first studied by those who would be most accurate and thorough in their knowledge of them. Afterwards, this knowledge may be extended by pictures and descriptions, and, in the end, well defined theories may be reached.

The way to understand civil government is to study civil government. Not descriptions of government, not histories of government, not theories of government, but the real, homely facts of government should be first studied. Afterwards the fundamental laws of government and correct theories of government may be learned.

The following Outline is arranged on the plan of presenting first that which is nearest and most easily learned in civil government, and afterwards that which is more remote. It has been prepared in compliance with a request from some of the superintendents and teachers of the State. It is designed especially for the assistance of teachers in giving oral instruction in civil government. Until something better is prepared, this Outline may be found of use in the hands of the more advanced pupils in public schools.

Instruction in civil government should begin with the first lessons in local geography. The civil township is not simply a piece of land, it is a government. In teaching the geography of the civil township, at least enough of the facts of township government should be presented to give a reason for the existence of the township. The same is true of every political division.

To understand United States History, a more extended and accurate knowledge of the facts of government is necessary. Without this, such topics as the charters of liberty, taxation without representation, and the Declaration of Independence are not understood. But this branch of instruction is not put into our schools for the sake of giving meaning to geography and history. It has a use of its own which is coming to be widely recognized.

I have been greatly aided in preparing this Outline by the Hon. R. M. Haines.

IOWA COLLEGE, April, 1881.

TOWNSHIP GOVERNMENT.

	OFFICERS.	NUMBER.	DUTIES.
1	SCHOOL OFFICERS.	3 or more.	Hire teachers. Build and repair school houses. Decide amount of funds for school purposes to be raised.
2	ROAD SUPERVISORS	One for each Road Dist.	Collect road taxes. Repair roads, and require able-bodied citizens to labor on the highway.
3	TRUSTEES.	3	Hold elections. Care for poor. Equalize assessments. Divide the Township into road districts. Determine the amount of road tax, and act as Fence Viewers.
4	CLERK.	1	Keeps records of Board of Trustees Has charge of money and property of Township, and acts as Clerk of Elections.
5	ASSESSOR.	1	Assesses all taxable property in Township, not included in Incorporated Town or City.
6	JUSTICE OF PEACE.	2 or more.	Acts as Peace Officer, and as Judge in minor cases, civil and criminal Holds preliminary examinations in cases of more serious crime.
7	CONSTABLE.	2 or more.	Ministerial officer of Justice's Court.

GOVERNMENT OF INCORPORATED TOWN.

	OFFICERS.	NUMBER.	DUTIES.
1	MAYOR.	1	Presides at meetings of Town Council. Sits as a court to enforce town ordinances.
2	RECORDER.	1	Clerk of Council. Signs orders on Treasurer for payment of money, as directed by the Council
3	TRUSTEES. (With Mayor & Recorder forming the City Council.)	6	Make all laws or ordinances for government of town. Have charge of streets and sidewalks. Act as Board of Health for the town, and as a Board to equalize Assessments in the town.
4	TREASURER.	1	Keeps all money of the town, and pays out money on orders signed by the Recorder.
5	MARSHAL.	1	Ministerial officer of Town Government. Executes orders of Mayor.
6	ASSESSOR.	1	Assesses the taxable property within the town.

(5)

COUNTY GOVERNMENT.

	OFFICERS.	NUMBER.	DUTIES.
1	SUPERVISORS.	3 to 7.	Levy taxes. Examine and allow claims against the County. Have charge of all County property. Locate roads and build bridges. Have oversight of County officers. Canvass election returns. Equalize assessments between Townships.
2	AUDITOR.	1	Clerk of Board of Supervisors. Keeps records of money due County and money paid out by County. Issues orders upon Treasurer for payment of money. Has charge of school fund.
3	TREASURER.	1	Collects all taxes. Pays out money on orders signed by Auditor.
4	RECORDER.	1	Records all deeds, mortgages, etc.
5	SURVEYOR.	1	Surveys real estate.
6	SHERIFF.	1	Ministerial officer of District and Circuit Courts. Has care of prisoners.
7	CORONER.	1	Holds inquests. Acts as Sheriff.
8	CLERK.	1	Keeps records of District and Circuit Courts. Appoints administrators and guardians. Keeps records of marriages, births, and deaths.
9	SUPERINTENDENT.	1	Examines teachers. Superintends schools in County. Hears cases of appeal from school boards.

COURTS OF RECORD HELD IN THE COUNTY.

CIRCUIT COURT.

	OFFICERS.	NUMBER.	DUTIES.
1	CIRCUIT JUDGE.	1	Has exclusive jurisdiction in all matters of probate of wills, administration of estates, and matters of guardianship; and of appeal in civil cases from inferior courts. Has general jurisdiction in all other cases, except criminal cases.
2	CLERK.	1	Records all proceedings of the Court, and issues all executions and writs.
3	SHERIFF.	1	Executes all orders of the Court, issued by the Clerk, and serves all writs.
4	PETIT JURY.	12	Hears evidence, and decides questions of fact between litigants.

(6)

DISTRICT COURT.

	OFFICERS.	NUMBER.	DUTIES.
1	DISTRICT JUDGE.	1	Has exclusive jurisdiction of criminal cases presented by the Grand Jury, and of all appeals of criminal cases from inferior courts. Has general jurisdiction of all other cases, except those given to Circuit Court.
2	DIST. ATTORNEY.	1	Acts as Attorney in prosecution of criminals.
3	GRAND JURY.	15	Investigates crimes. Finds indictments against criminals.
4	CLERK.		Same duties as in Circuit Court.
5	SHERIFF.		
6	PETIT JURY.		

STATE GOVERNMENT.**LEGISLATIVE DEPARTMENT.**

	OFFICERS.	NUMBER.	DUTIES.
1	SENATE.	50	Make Laws. (The Senate and House of Representatives constitute the General Assembly.)
2	HOUSE.	100	

EXECUTIVE DEPARTMENT.

1	GOVERNOR.	1	Recommends legislation. Signs or vetoes bills passed by Legislature. Supervises State institutions. Grants pardons and reprieves. Makes appointments to office.
2	LIEUT.-GOVERNOR	1	Presides over Senate. Becomes Governor in case of vacancy in that office.
3	SECRETARY OF STATE.	1	Has charge of all records of laws, constitutions, and other State papers deposited in his office. Signs and registers all commissions issued by Governor. Reports to General Assembly criminal returns from District Courts. Keeps record of acts of incorporation of cities and towns.
4	AUDITOR.	1	Keeps all accounts of money due the State, and paid out by the State. Issues orders to Treasurer for payment of money. Has supervision of Insurance Companies and Savings Banks.

STATE GOVERNMENT.—*Executive Dep't Continued.*

	OFFICERS.	NUMBER.	DUTIES.
5	TREASURER.	1	Keeps the money of the State, and pays it out, as ordered by Auditor.
6	REGISTER OF LAND OFFICE.	1	Keeps record of land owned by the State. (The duties of this office will be performed by the Secretary of State after March, 1883.)
7	SUPERINTENDENT OF PUBLIC INSTRUCTION.	1	Has supervision of Public Schools. Collects educational information, and reports to the General Assembly. Hears cases of appeal from County Superintendents.

JUDICIAL DEPARTMENT.

1	JUDGES OF SUPREME COURT.	5	Highest Court in the State. Hears cases appealed from lower Courts.
2	CLERK.	1	Keeps records of all proceedings of the Court.
3	ATTORNEY GENERAL.	1	Appears on behalf of the State in Supreme Court. Gives legal advice to State officers.
4	REPORTER.	1	Prepares for publication the decisions of Supreme Court.

OBJECTS OF GOVERNMENT.

I. Protection. { *Person.*
Property.

II. Care of Unfortunate. { *Poor.*
Insane.
Blind.
Deaf and Dumb.
Juvenile Criminals.

III. Education. { *Common Schools.*
Normal Schools.
Industrial Schools.
Universities.
Military Schools.

IV. Public Improvement { *Streets and Highways.*
Railroads, Canals, Rivers &
Drainage. [*Harbors.*]
Public Buildings.
Postal Service.
Coining Money.

and
General Welfare.

SUPPORT OF GOVERNMENT.

I. TAXATION.

II. PERSONAL SERVICE.

CIVIL GOVERNMENT IN IOWA.

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CHAPTER I.

OFFICERS AND THEIR DUTIES.

SECTION I.—GOVERNMENT WITHIN THE TOWNSHIP.

Local government in Iowa is largely entrusted to towns, townships, and school districts. These three local governments are separate and distinct. Two of them, the township and school government, affect all the people in the state. The other, the town or city government, affects only the people who live within the limits of incorporated towns or cities.

In the preceding Outline the school government is placed under the head of township government. Local school government is limited, as to boundary, to the civil township, but is otherwise quite distinct from it.

The township may be sub-divided for school purposes in two ways. First, the entire township may be divided into sub-districts, each of suitable size for a school. Each sub-district elects a director, and all the directors of the township constitute a school board for the management of the schools of the township. Under this system, each director besides being a member of the school board, has special duties in his own sub-district. Second, the township may be divided into independent school districts. In this case each district elects at least three persons, who constitute a school board and have entire charge of school matters in the district. Again, a township may be organized under the first, or sub-district system in the main, but may contain a village or town which is an independent school district.

In teaching school government, the particular system in use where the school is taught should be made the basis of instruction. Whatever may be the form of government, the things done by local school officers are the same.

In preparing oral lessons from the Outline a distinction should be made between the officers and their number, and the duties of these officers. The lists of officers and the number of them either are or may be made definite and complete. The statement of the duties of these officers is not complete. All the details of official duty cannot be put into an Outline. Only the more important duties are given, and these are given in brief, suggestive terms. The lists of officers and their number are to be memorized. The duties of these officers are not to be simply memorized, they are to be understood.

The first lesson in township government may be made one of simple memory embracing a list of the seven officers, and the number of persons who fill each office. Interest may be awakened in this work of memorizing by sending the pupils out with the list to find these persons. These officers are some of them parents of pupils in the school, others are relatives, all are neighbors, and nearly all are personally known.

How did these persons become officers? When did they become such? How long do they serve? Do they receive pay? If so, how are they paid? To questions of this kind pupils can readily find correct answers.

What do these officers do? A partial answer to this question is found in the Outline under the head of "Duties." A complete answer in detail cannot be taught to young and inexperienced pupils. The teacher must decide as to how much of detail shall be attempted, always remembering that a little thoroughly understood is worth more than any amount of memorizing of unmeaning words and phrases.

What does a farmer do? Any country boy could write down twenty correct answers to this question; and yet he would know that he had not named all the things that a farmer does. How does a country boy know what a farmer does? He sees him at work. He hears him tell what he does. He sees the products of his labor. In many ways the knowledge comes to him.

One of the duties of school officers is to visit the schools under their charge. This duty is often neglected; this occurs, in part, because the officers see no real good to be accomplished by it. The teacher should furnish a tangible object. Let the officer be invited to the school at a fixed time to give an account of the school government. If he is a sub-director, let him state just what he has done as director. This school officer is a

member of the school board. Let him state the things which the board has done and is accustomed to do. This officer may be president, secretary or treasurer of the school board; at any rate he can give the duties of these officers.

The house in which the school is taught is a product of the school government. When was it built? Who decided to build it? How much did it cost? How was the money raised?

The secretary of the school board has a book, or books, which contain a record of all the acts of the school board since the district was organized. These books belong to the public. They may be brought into the school and any act of interest read and explained. In this way the pupils may learn from the school government itself, and by direct observation of the products of the school government, what the school government does.

The teacher, school, and school house are seen. They should be seen as products of school government. Other things and acts are seen,—such as roads and work upon them, elections, aiding the poor, assessing property, the arrest and trial of criminals. These should be understood as acts or products of township government. If properly presented they may be as thoroughly understood as the acts of a farmer or merchant. Of the other acts of the township government which may not be matters of direct personal observation, a record may usually be found in the hands of the clerk of the township or the justices of peace.

After the pupils understand all the duties of township officers which the teacher thinks best to teach, these may be summed up and memorized. If that part of the Outline given under the head of "Duties" corresponds to the facts learned, and if the language is suited to the understanding of the student, it may be learned just as it is.

But, perhaps, a pupil learns that a certain justice has performed the marriage ceremony. He would be disappointed if he should not see that among the "duties" of the justice of the peace. The assessor's son is greatly disgusted with the bare statement "assesses all taxable property in township." The assessor makes out a census roll, enrolls the militia, sits up of nights and figures up the results, makes an extra copy, and does several other things. The teacher should allow the pupil to make the outline to suit himself so long as he keeps within the bounds of truth. But the outline of duties to be remem-

bered by the entire class should be confined to the more important ones, and should be put in plain, brief terms.

As nearly as possible, the same plan as here outlined for school officers should be followed in learning the duties of the other officers in the township. The road supervisor, trustees, clerk, assessor, justices of peace, and constables are all of them near at hand. They may be reached through pupils designated for the purpose, or through the teacher. Learn from them the actual facts as to what they do.

In preparing lessons for oral instruction, the teacher should make free use of the Code of Iowa, a copy of which should be in every school. White's Manual of Iowa contains some facts which may be of use. But no information derived from such sources should be allowed to take the place of the direct study and observation of the government itself.

In the country schools, better results will generally be secured by passing from the township government directly to the county government, omitting entirely town government. But where the school is located in a town or city the study of the town government should be made of first importance. It should be taken up immediately after the school government and taught in the same manner.

The government of a town, to the people living in town, is of much more consequence than the government of the township is to them. The town government may do for the town nearly every thing that the township does where there is no town government, except to hold the general elections; and a town government is accustomed to do many things which a township government does not do. The township government, however, should be thoroughly studied by pupils living in town, because a knowledge of it is necessary to the understanding of county government.

There are three kinds of town government in Iowa; an incorporated town, where the population is less than two thousand; a city of the second class, where the population is more than two thousand and less than fifteen thousand; a city of the first class, where the population is fifteen thousand or more. There are also cities governed by special charters. The Outline is arranged for an incorporated town. It can easily be changed to suit a city of first or second class. It is impossible for teachers to attach too much importance to the thorough understanding of local home government. Successful teaching

here almost insures success in securing a fair political education. To the people living in Iowa the administration of government in town and township costs more, does more, and is of more immediate concern to all classes than all other government in the state and nation.

SECTION II.—COUNTY GOVERNMENT.

Except where the school is at or near the county seat, it is not possible to study the county government in the same direct and personal way as the government in the township. But, if the government within the township has been thoroughly mastered, the government in the county may be made none the less real. Many of the acts of county government are closely connected with the government in the township. School officers in town and township determine the amount of money necessary for the support of their schools; the county supervisors levy the taxes to raise this money; the county treasurer collects the taxes and pays it over to the school treasurers. The local school governments hire teachers; but they can only hire persons to whom the county superintendent has granted certificates.

The county superintendent has general supervision of all the schools in the county. He assists teachers in doing their work by visiting schools and suggesting methods of improvement. He provides for the instruction of teachers in their professional work. Where persons feel aggrieved by the decisions, or orders, of the local school board they may appeal the case to the county superintendent, and he may affirm or reverse the action of the school board.

The trustees of the civil township divide the township into districts for road purposes. The road supervisors in each district collect road taxes, and require the able-bodied men in the district, not over forty-five years old, to work on the roads two days in each year or pay an equivalent in money. But the roads are located by the county supervisors, and bridges of over twenty feet in length are built by the county.

The trustees hold the general election, which occurs in October or November of each year. They count the votes for each officer and declare the result for the township officers. But, for the other officers voted for, they send the result to the county, auditor and the county supervisors canvass the returns from all the townships in the county, declare the result for

county officers, and send the vote for other officers to the state canvassers.

The trustees give aid to the poor in the township who need temporary help. The bills are allowed by county supervisors and paid by the county. For the poor of the county who need permanent help, the county provides a poor-house and farm and furnishes them a home.

The assessor makes out a list of tax-payers and taxable property and affixes a value to the taxable property. The trustees revise this list so as to make the burden of taxation just and equal between the tax-payers. A copy of the revised list from each township in the county is sent to the supervisors and they revise the lists so as to equalize the burden of taxation between the townships.

The sheriff's duties in district and circuit courts are similar to the duties of a constable in justice's court. One who understands what the justice's court does, can readily understand what the district and circuit courts do. From these facts it is apparent that a large part of the government in the county is to supplement the government in the township.

The county government is peculiar in this; it is the government for the keeping of things of value to the people. One of these valuable things is money. With the exception of a little money collected by the road supervisors and town officers, all the money collected from all sources for the support of government in town, township, county and state goes into the county treasury. The county treasurer receives and becomes responsible for this money. It is for the interest of all tax-payers that this money be safely kept and used only as directed by law. To this end a safe place is provided. The treasurer is required to give bond to secure the government against loss. The treasurer is also required to keep a record of all money received and paid out by him.

The auditor of the county is the clerk of the board of supervisors. The supervisors are the business managers for the county. They hold annually four regular meetings, beginning on the first Monday of January, April, June, and September. A large part of the business of these meetings is to hear and allow claims against the county. At one of these meetings they enter an account of all the money which has been determined upon by officers in the towns, townships and school districts in the county, for the support of these local governments.

They also enter an account of the money ordered by the state to be raised in the county, and they make an estimate of the money necessary to be raised for county purposes. They then levy a sufficient tax to meet all these expenses. The county and state taxes are levied upon the entire county alike. The taxes to be collected for towns, townships and school districts of the county, are levied upon the respective towns, townships and school districts.

The auditor, as clerk of the board of supervisors, has an account of all the money to be collected by the county. He has also the revised assessors' books from all towns and townships in the county. From these he estimates the amount of tax to be paid by each tax-payer in the county. A copy of this estimate he gives to the treasurer, to be followed by him in collecting the taxes.

From these facts, it appears that the county has two distinct officers who keep a complete record of all money received and paid out by the county. These records are open to inspection. The supervisors are required to publish their proceedings so that every tax-payer in the county, without the inconvenience of examining records, may know just what is done with the county funds. All this is done to secure the people against loss.

Besides the valuable records kept by the treasurer and auditor, the county government keeps a complete record of all deeds and mortgages transferring or affecting the title to all lands in the county. In consequence of changes by death and other causes, experience has shown that it often becomes impossible to decide to whom the land rightly belongs, unless a careful public record is kept giving the entire history of the title. The county recorder keeps this record.

We have seen that in every township in the county there are two or more justice courts. These courts often give decisions that one person shall pay to another person a certain sum of money. This sum is usually less than one hundred dollars, never more than three hundred. It often happens that the person against whom this judgment is rendered will not pay the money, and has not in his possession property which can be seized for payment. But, if at some future time the person who owes the money shall acquire property, it may be seized to pay the debt. The judgment against him is therefore a record of value to the creditor, and he may require the justice to

send a copy of this judgment to the county clerk, to be entered upon his records.

The county clerk keeps also a record of the proceedings of the district and circuit courts held in the county. Many of these proceedings affect or change the title to real estate. The recorder's books may show that a piece of land belongs to John Smith and that he has a clear title. Yet the clerk's books may show that there are judgments and costs against John Smith for which the land is liable to be seized. Or the clerk's books may show that a former owner of a piece of land is dead and the land is in the hands of heirs.

For the safe keeping of the county treasury and the valuable records of the county, the county provides a building with rooms for the various officers and a large room to be used for holding courts. The county also provides a jail for the safe keeping of criminals and persons charged with crime.

SECTION III.—COURTS OF RECORD HELD IN THE COUNTY.

The entire state of Iowa is separated into fourteen judicial divisions, and each division elects two judges. One is called a district judge and the other is called a circuit judge. There are several counties in each judicial division, and each judge is required to hold court at least twice each year in each county. There are therefore four sittings of these courts in each county each year.

The district and circuit courts are of the same grade, and in ordinary civil cases the person who brings suit may take his choice of courts. But if it is a case appealed from an inferior court, it must be taken to the circuit court, if it is a civil case, and to the district court, if it is a criminal case. All probate business and matters of administration and guardianship must be taken to the circuit court; all criminal cases to the district court.

JURIES.

The trial of a criminal case in the district court costs the county a large sum of money. It is also a matter of great expense and annoyance to the person who is tried. If the person is not guilty, it is better for all concerned that he should not be tried. If he is guilty, it is for the best interests of society that all possible evidence shall be secured against him before the trial. If he is acquitted, he can not be tried again for the same

crime, no matter how much evidence against him may be discovered after the trial.

The grand jury is a body of fifteen men, whose duty it is to examine all evidence of crime against individuals, and if twelve of them believe that the evidence against any one is sufficient to convict him of a crime, it is their duty to write definite charges against the supposed criminal, and he is brought before the district court for trial upon these charges. It is the duty of the district attorney to give the grand jury legal advice and to assist them in making out bills of indictment. The district attorney is also the legal adviser of county officers.

In the trial of a criminal before the district court, a petit jury of twelve men is impaneled, who hear all the evidence, the arguments of attorneys and the instructions of the court; and then, without communication with, or influence from any person outside of their own numbers, they decide whether the person is guilty or not guilty. This decision must be unanimous. If they can not agree the case may be tried again. A petit jury may be impaneled in the trial of all cases in the district and circuit courts, and in the inferior courts of the state. In all except criminal cases, if both parties to the suit desire to leave the decision to the judge, the jury may be dispensed with. In the justice's court a petit jury consists of six persons.

SECTION IV.—STATE GOVERNMENT.

The government in towns, townships, and counties of the state is administered in accordance with state laws. The officers are all elected or chosen as the statutes of the state direct, and their duties are defined by these statutes. The body whose duty it is to make all general laws for the government of the state is the General Assembly or State Legislature. It is composed of two houses,—a Senate, containing fifty members, and a House of Representatives containing one hundred members. Senators are elected for four years and representatives for two years. The legislature meets in January of each alternate year.

The Governor of the state assists the legislature in making laws. He collects information upon the condition and needs of all departments of government in the state, and recommends to the general assembly such legislation as, in his judgment, the best interests of the state demand. When a majority of

all the members elected to each house of the general assembly have voted for a bill, it is presented to the governor for his signature. If he signs it, the bill becomes a law of the state. If he objects to it and sends it back to the house in which it originated, it does not become a law unless it receives the vote of two-thirds of all the members of each house.

The governor is called the highest executive officer in the state, yet he ordinarily has little to do with the execution of state laws. The laws are enforced by town, township and county officers, and by the courts of record held in the counties. If any of these officers are resisted and are unable to enforce the laws, they may call upon the governor for assistance. In that case it would be the duty of the governor to call out a sufficient force of the state militia to enforce the laws.

It will be seen by an examination of the Outline, that the duties of the other so-called executive officers of the state government are similar to duties performed by corresponding officers in the county government.

The Secretary of State has charge of valuable records and state papers. The Auditor is the active business manager and financial agent of the state. The duties of the State Treasurer are entirely similar to the duties of the county treasurer. The Register of state land office keeps a complete record of title to all lands now owned by the state; and of the lands that were formerly owned by the state he keeps a record of the title up to the time that they passed into other hands. After this, the record is found in the offices of the various county recorders. After March, 1883, the office of Register is to be discontinued, and its duties are to be performed by the Secretary of State.

The Superintendent of Public Instruction is the highest school officer of the state. He has general supervision of the educational work of the state. He receives reports of school statistics through the county superintendents of the various counties of the state. He makes a report to the general assembly, embracing such educational statistics as he has compiled and such information and recommendations as he deems important. He is the court of final resort in cases appealed from decisions of county superintendents.

The Supreme Court is the only court of the state in which more than one judge is required to constitute the court. In the supreme court there are five judges. They are elected for

six years, and their terms of office are so arranged that they expire at different times. The judge who has been in office longest is the Chief Justice and presides at sittings of the court. Two terms of this court are held each year in each of the four cities of Des Moines, Davenport, Dubuque, and Council Bluffs. Almost the entire business of the court is to hear and decide cases appealed from the circuit and district courts of the state.

CHAPTER II.

LOCAL GEOGRAPHY AND CIVIL GOVERNMENT.

Among savages government is not usually limited by geographical lines. Who are subjects of government, is determined by personal relations as members of families or tribes. Among civilized people government is limited to particular localities, and all who come within a given territory are subject to its government.

Before there was a state of Iowa, the Congress of the United States provided for a survey of all the land now contained in the state, into squares of six miles each. These squares were called townships. Each square was sub-divided into thirty-six smaller squares of one mile each. These smaller squares were called sections. To preserve these lines, mounds were thrown up at the corners of each square, trees were marked, and stones or stakes were set. This was all done for the purpose of locating and describing the land as it was sold to individuals.

When the people who came into the territory to live, began to form a government, the same lines which were used for locating their farms, were also used for limiting local government. The lines of most of the counties of the state follow the congressional township lines. Hence, the county is generally composed of squares of six miles each. Sixteen of these usually form a county. These squares, as the counties became settled, were usually taken as the limits of the civil township, so that the old congressional township has, in most cases, become a civil township. The sub-divisions of the civil township, for

road and school purposes, usually follow the section lines of the congressional survey. The school sub-districts and the road districts are generally each four miles square. Nine of these make up the civil township. There is no law or reason for these various divisions of local government except the law of convenience. If a river, or any other cause, makes other divisions more convenient they are made.

According to modern methods, instruction in geography begins with direct personal observation. The school-house yard and the adjoining lots or farms are observed and the uses of these divisions of land are seen at the same time. These observations are extended by drawing a map of the incorporated town or city, or the school district. The uses of these wider divisions of land may not be seen unless they are pointed out.

A town, as we often use the word in Iowa, means nothing more than a collection of dwellings and other houses. Such a town as this has no definite limits. A limit is fixed for a town only when a town government is organized. The boundary line is to limit the jurisdiction of the town or city government.

Where large numbers live near each other they may wish to have a government that will do more work on the streets and side-walks than the township government will do. They may wish to make special provisions against fires; to provide against disease, by removing filth and making sewers; to provide for peace and order, by a police and night watch; to light the streets and furnish a general water supply; to abolish or control saloons. These are among the things which may be done by a town or city government, and all these things are paid for by taxes, levied upon property within the town limits. When a pupil draws his first map of an incorporated town or city, it is not necessary to teach him every thing which a city government may do. Yet, to teach him the geographical limits and leave upon his mind the impression that the line is drawn where it is just to keep the houses in their place, is not rational teaching. Enough of the facts of the town government should be taught to give a definite meaning to the boundary. For the purpose of giving a meaning to a geographical division, one clearly defined fact of government may be sufficient.

It is however a matter of special interest to the student of civil government to observe the mutual adaptations of government to place and of place to government.

Two miles square is usually a convenient size for a school

district. If for any reason the size should be different, the school board can make it so. Where large numbers live near together, and wish to have more and better school accommodations than the township school board furnishes, they can form an independent district, vote upon themselves extra taxes and supply themselves with such houses, teachers and apparatus as they wish.

Six miles square is usually a convenient limit for a voting precinct. A county is too large. A smaller limit in rural districts would cause unnecessary expense. But in cities where voters are numerous they may wish to make the civil township smaller. In that case the city limits may be made the boundary of the civil township, and if necessary, more than one voting place is provided.

From sickness, accident or other causes, persons may be brought to sudden and extreme want. If the supply of such temporary need were left to the county government, the officers might be twenty miles away. But being placed, as it is, in the hands of three men within the township, the means of relief are near at hand. One poor house and farm is sufficient to supply all who need permanent aid in the county.

Local management of roads is put into the hands of the townships, because it naturally belongs there. The roads are kept in repair by the personal labor of able-bodied citizens. They work upon the roads near them. Highways are often obstructed and great urgency is demanded in removing obstructions. The supervisor should be near. But in building bridges which require mechanical skill the county is called upon. It would often be unjust to require a township to build an expensive bridge, since it would generally be used more by others than by the people of the township. It is more just for the entire county to pay the cost of such bridges.

Farmers are often brought suddenly into sore trial by large herds of cattle breaking over fences and destroying crops. They cannot agree as to where the blame rests, whether the fence is insufficient or the cattle unruly. If the fence-viewers were county officers it might be difficult to find them; but being township officers, the case may be conveniently settled. When farmers have a difficulty in determining the boundaries of their farms they appeal to the county surveyor. This business is not urgent. They can afford to wait until a skillful person can come and establish the corners of their farms. It

would be impossible to find a skillful surveyor in every township, and the business in a township would not justify the purchase of instruments.

An assessor can readily see all the tax-payers in a township and make out a list of taxable property. He is acquainted with most of the persons and has some knowledge of their financial condition. If the assessor were a county officer the work would often be more than he could do, and he could be more easily avoided and deceived by persons who wished to defraud the government of tax dues.

By having at least two justices and two constables in each township, the great majority of small cases at law are settled with little expense. These officers are always ready, in case of crime committed, to seize and hold the criminal. It is the justice, more than any other officer, who is the real terror to the criminal. Go where you will, the justice is there. His court for the arrest of criminals is open every hour, day and night, the entire year. He speaks in the name of the state. He commands all constables, sheriffs and citizens in the county. If these are too weak, he calls upon the governor of the state and the governor must come to his aid with the militia of the state. The justice is called a county officer, though he is chosen by the township and must reside in the township where he is chosen.

The county fills out and completes the work of governing, carried on in the township. One poor house, one jail, one house for the safe keeping of money and valuable records and for the holding of higher courts, is sufficient for a county. For each township to supply itself with these needful things would be too expensive.

The state of Iowa contains ninety-nine counties. All the government in the state that affects directly the great body of the people, is administered in town, township, and county. A few things of a more general character are furnished by the state at large.

Towns, townships, and counties provide entirely for the poor of the state. The state provides for three other classes of unfortunate persons. These are none of them so numerous, and all of them need special and peculiar treatment. They are the insane, blind, and deaf and dumb.

For the care and treatment of the insane, there is a hospital at Mt. Pleasant and one at Independence. The feeble-minded children are cared for at Glenwood.

The school for the training of the blind is located at Vinton; the one for the deaf and dumb is at Council Bluffs.

A Soldier's Orphan Home is maintained at Davenport.

The state has the management of three important educational institutions. One is an Agricultural College, located at Ames; another is the State University, located at Iowa City; and the third is the State Normal School, located at Cedar Falls. The University and the Agricultural College are supported largely from the proceeds of lands donated to the state for this purpose, by the United States government.

The state institutions which have most intimate connection with the administration of government in the counties are the state's prisons and the reform schools. The prisons are located, one at Fort Madison, and the other at Anamosa. These institutions are used to execute sentences to confinement at hard labor, pronounced against criminals by the district courts. For counties to execute these sentences would entail vast expense. The state, by putting large numbers under one management, makes the institutions, in large part, self-supporting.

Boys and girls often commit crimes which the laws punish by commitment to state's prison. The state has, doubtless wisely, decided that these should have separate institutions and different treatment from other criminals. These institutions are called reform schools; and are located, the one for boys at Eldora, and the one for girls at Mitchellville.

From this geographical survey, it appears that those acts of government which are of most immediate concern to the masses of the people, are committed to towns, townships and school districts. A few needs of a more general nature are met by the county governments. A few others, still more general and expensive, are met by institutions furnished and maintained by the state at large.

CHAPTER III.

OBJECTS AND SUPPORT OF GOVERNMENT.

What does government do for the people, and how is government supported? A complete answer to this question would be difficult to give. In the outline, the "Objects of Gov-

ernment" are presented in four divisions: "Protection," "Care of Unfortunate," "Education," and "Public Improvement and General Welfare." "Support of Government" is by "Taxation" and by "Personal Service."

"The "objects of government," as here presented, is not intended to embrace all possible objects of government, neither is it claimed that the division into these four heads is the most philosophical one possible. It is presented rather as a convenient summary of the ends of government, as experienced by the people of Iowa.

PROTECTION is secured in townships by trustees (as fence viewers and board for equalizing assessments), justices of peace, petit juries and constables; in cities, by mayor's court, marshal, police, and by the city prison; in counties, by supervisors (as board for equalizing assessments), auditor, treasurer, recorder and clerk (as custodians of valuable records and money), coroner, sheriff, district and circuit courts, grand and petit juries, and by the county jail. In the state at large, protection is furnished by the governor (as commander of state militia), secretary of state, auditor, treasurer and register (as custodians of money and valuable records), supreme court, and by the penitentiaries and reform schools.

THE UNFORTUNATE are cared for in townships by trustees; in county, by supervisors; in state, by institutions maintained by the state.

EDUCATION is provided for in towns and townships by school boards; in counties, by superintendent; in the state, by superintendent of public instruction, and by educational institutions maintained by the state.

PUBLIC IMPROVEMENT AND GENERAL WELFARE are provided for in townships by trustees and road supervisors; in towns, by the council; in counties, by supervisors. The state legislature provides for the erection of buildings on a magnificent scale. Township, county, state and national governments may appropriate money for various works considered of advantage to the public, such as railroads, canals, rivers and harbors. Many of the acts of government classified under "general welfare" are performed by the United States Government.

TAXATION is carried into effect by assessors, trustees, city councils, supervisors of county, auditor and treasurer; aided, it may be, by sheriff.

PERSONAL SERVICE is required by the government to fill the

offices (sometimes without compensation), to work on the public highways, and to render police and military service.

It is scarcely necessary to call attention to the intimate connection between the "duties" of officers and the "objects of government." A complete statement of all the objects of government and all the means by which those objects are attained, would contain a complete statement of the duties of all officers. The phrase, "objects of government," as used here means simply what government, as experienced by us, does for the people.

What are the advantages derived from government? How much are they worth? How should we fare without them? Take away the public school, what would follow? Take away the care of roads and streets, take away all town and township government, what would be the consequences? Take away all protection to person and property, the enforcing of contracts, the collection of damages, the punishment of criminals. Let all these be discontinued, and what would follow? Remove from men's minds the notion of irresistible power connected with state and national government, what would follow?

If we were left without any government, a large proportion of the people would die from hunger, murder and suicide, and those who remained would, in time, become savages. A good government, such as we enjoy, is literally worth the life of the great body of its citizens.

What do the people give for the support of government? A few dollars each year. There is nothing for which we pay so little and receive so much, and yet the feeling is quite prevalent that the money paid for the support of government is so much paid out for which there is no return. Men have an impression that the government is indebted to them, and, when the opportunity presents, they recover from the public treasury all they can get. In making out bills against the government, the question is not, how much is justly due for the service rendered, but, how much can be obtained? Men, scrupulously honest in meeting all their obligations to individuals, do most unscrupulously defraud the government of taxes justly due. They steal from the public treasury, when they would not think of stealing from an individual. This, in large part, is due to the fact that there is no clear conception of what the government is and does. A man who should enter the houses of all the people living in a township or county and carry off

property, would be counted a thief, and, if caught, he would be relentlessly punished. A man who takes or retains money belonging to the county, does steal from all the tax-payers in the county. His crime against individuals is the same in substance as that of the thief. But his crime is, in reality, much more serious than ordinary stealing. All citizens are dependent upon the government for protection against thieves, robbers and murderers, and he who steals from the government strikes a blow at the very means by which all property is owned and defended.

A system of instruction which gives to the child a clear knowledge of what the government is and does, and impresses upon the child's mind the sense of obligation which this knowledge is fitted to give, will do much towards removing false impressions about the government, and correcting existing abuses in the government. This instruction should begin in early childhood, because the controlling moral sentiments are early formed.

What should be the object of government, or what is the proper sphere of government? This is a question of great importance, but its discussion leads naturally to the consideration of theories of government far beyond the scope of our present inquiry. There are, however, certain well-established facts about the proper sphere of government, which may be taught. A good government furnishes protection to its citizens, and accomplishes for them a few other necessary or desirable things; yet the great majority of the wants of the people cannot be supplied by the government. The people must supply themselves with houses, clothing, food, and nearly all that ministers to the comfort and pleasure of body or mind. Government can give no property or money to the people. It is constantly taking money, and furnishing in return, not money, but protection, education, or some public convenience. Some of the greatest calamities that have ever come upon a people have been brought upon them by the government attempting to do something which it could not do. Governments have attempted to furnish great masses of able-bodied citizens with bread. The attempt has failed, and caused widespread famine and starvation. Government cannot safely assume the support of those who are able to support themselves.

Governments have attempted to furnish all the people with

all the money they needed, by issuing paper bills and calling them money; and this attempt has destroyed all just standards of value, enabled the shrewd and wealthy to gain possession of the property of the ignorant, brought ruin upon industry and commerce, and caused more suffering and death than is produced by dreaded famine, pestilence and war. A government in its sphere is a priceless blessing; a government out of its sphere may be the source of great calamity. In the management of government the ignorant are to be feared equally with the vicious.

CHAPTER IV.

DEPARTMENTS OF GOVERNMENT.

In the previous chapters, there has been a brief notice of the officers of government and their duties; government, as related to local geography; and what government does for the people, and what the people do for government. It is desirable now, to gain a comprehensive view of all government within the state.

The work of governing has three quite distinct departments. First, it must be decided what the government will do, and how it will do it; that is, laws are made or adopted, and ways and means provided for carrying these laws into effect. This department of the work of governing belongs to what is called the Legislative Department. The actual doing of the things determined upon and provided for by the legislative department, is left to what is called the Executive Department. All laws are not understood, and laws which are understood, are not obeyed; crimes are committed, rights are violated, grievances arise, disputes occur between citizens which they cannot settle. To interpret the law and apply it to particular cases, to determine the rights of litigants, and to enforce the law against criminals, courts are established. This part of the work of governing, belongs to what is called the Judicial Department.

These three departments of government are, for the most part, in the hands of distinct officers; but there are many ex-

ceptions to this rule. We have seen that the General Assembly, or state legislature, makes general laws for the state. It establishes all state institutions, and provides for their support. It establishes, or provides for the establishment of, all governments of towns, townships, and school districts, and defines the duties of all officers in these various local governments. But the state legislature puts into the hands of local boards, in counties, townships, school districts, and towns, some work which is of the nature of local legislation. The state legislature, by direct act, creates counties, but it puts into the hands of the board of supervisors, in the county, the work of organizing the county into civil townships. The legislature provides for state institutions, by appropriating the money necessary for their support. It is the duty of the county supervisors to make the necessary provision for supporting the county government. The supervisors must provide for the poor and for the safe keeping of prisoners, but they are allowed large discretion as to the means which they shall use in doing this.

The civil township is organized by the county supervisors, but the chief management of the affairs of the township is, by law, put into the hands of a board of trustees. The trustees are required to provide for the care of roads, by creating road districts. They provide for the election of road supervisors, and determine the amount of tax which shall be collected for road purposes. A law of the state forms every civil township now organized, or to be organized, into a school district. When a township is organized which has no school board, it is the duty of the trustees of the township to hold an election to choose a school board; and it is the duty of the school board, thus chosen, to make all needful regulations for establishing and maintaining schools for all children of school age, within the district.

These three local boards vote taxes to be collected in the localities which they represent, and provide for the support of local institutions, just as the state legislature votes taxes and provides for the support of state institutions. But these local boards merely carry into effect the law; their work is rather executive than legislative. The local boards in county, township and school district do not, strictly speaking, make laws. But, with the town or city council, the case is different. The state law requires the town council to do certain things, such

as to hold elections for town officers and equalize assessments. So far, the council may be regarded an executive body. But, in respect to most of the acts of the town council, the state grants the privilege of action, but does not require action. The state law confers certain powers upon the town government. The town council is the representative body of the town government. It can make laws to the full extent of the powers granted by the state. The state creates counties, and confers upon the county few powers, but requires the county to do certain things. The same is true of the township and school district. These local governments are, for the most part, agents of the state. The town or city government is created, not by the state, but, under state laws, by a vote of the electors who live within the proposed limits. The election is held by commissioners appointed by the circuit court, in compliance with a petition from one-third of the electors. The town has many of the characteristics of an independent local government.

In summing up the work of the legislative department in the state, we have, first, the state legislature, which makes general laws for the state, and establishes and provides for the support of state institutions; second, local boards in counties, townships and school districts, which, in obedience to state law, establish local institutions and provide for the support of local government; third, town and city councils, which make local laws for the government of towns, and provide for the support of town government. The local boards of counties, townships and school districts are executive rather than legislative bodies. The town council is, in part, an executive, but is chiefly a legislative body.

The work of the legislative department is but a small part of the work of governing. The state legislature holds a session of two or three months, once in two years. It is called the law-making body, yet it makes few laws. The great body of laws under which we live has existed for centuries. Our legislatures have adopted them. Only such slight changes and additions are made as increased experience and changing circumstances seem to demand. The state government is as often injured by too many statutes as by too few. The first state legislature put the business management of our county governments into the hands of three men, elected by the county; another legislature afterward put it into the hands of

one man; another, still later, put the county management into the hands of a body of men, chosen, one by each township; again this was changed, and the board of three supervisors was established. Now, if this is really the best system, it would have been better for the state to have chosen legislators wise enough to let the first law alone.

Law-making, from the very nature of the work, is limited. The work is all finished when the best possible laws are established; but, as we are never sure that we have the best, we keep constantly striving to get them. A city council soon enacts most of the ordinances essential to the city government, and the work of the council, after that, is to make slight additions or changes to meet new demands.

The work of executing the laws, on the other hand, does not diminish, it goes right on. The executive is the constantly working department of government. It is often called the government, because it is the part most seen. The great body of the officers of government belong to the executive department. The general legislative work of the state is performed by one hundred and fifty men, actively employed two or three months in each alternate year. This work is supplemented by local boards in counties, townships and school districts, and by city councils. The executive work of government in the state employs a great army of officers. There are seven thousand five hundred sub-directors. There are more than three thousand independent school districts. In each of these is a school board, consisting of from three to six persons. All together, for the administration of the school law in all the school districts of the state, there are not less than twenty-two thousand officers. The officers charged with the government of the civil townships of Poweshiek County number two hundred and fifty-five. This county is of average size, and little more than average population. At this rate, the civil township officers for the entire state are twenty-five thousand. Add to the local school and township officers the officers for the government of towns, and the number cannot be less than fifty thousand. For the administration of county government, there are more than a thousand officers. The state executive officers and the officers in charge of state institutions number less than a hundred.

From these facts it appears that the greater part of the executive work of the state is in the hands of local officers within

the limits of the civil township. These officers are nearly all chosen by the voters of the town, township and school district, in whose interest they administer the laws. The actual work of these officers is by no means so great as their number would indicate. Most of them spend only a small portion of their time in official service, and many of them receive no compensation. The aggregate work of these officers, however, is great, much more than the executive work of county and state government.

There are a half-dozen officers in each county whose official duty requires their entire time, and some of them employ assistants. There are also a few state executive officers who are thus employed. The Governor is called the State Executive, or the chief executive officer of the state; yet, ordinarily, he has almost nothing to do with administering the government of the state. His duties in connection with the making of laws are much more important. State laws are executed by counties, townships, towns and school districts.

The legislative department has determined what shall be done by way of government, and executive officers have been chosen to do the things prescribed; but, if a particular executive officer fails or refuses to perform his duty, government is thus far at an end, unless a remedy is provided. One remedy which the law provides in such a case is to bring the delinquent before a court and compel him to do his duty, or punish him for refusing. Courts are thus used as a compelling force to the executive. But the greater part of the work of courts is to settle cases which arise between individuals in their ordinary business transactions. The law is not understood, or, if understood, it is not willingly observed by both parties; there is a disagreement as to facts, or, from some cause, one party is aggrieved, and he seeks relief by bringing the case before a court. The question as to the facts may be determined by a jury who hear the testimony. The court declares the law in this case, and renders a decision according to law. When a crime is committed the state is the aggrieved party, and action is brought in the name of the state.

Courts, in the objects which they accomplish, are closely allied to the executive work of governing, but in the means which they use in deciding cases, they are allied to the legislative department. They interpret the law, add new meaning to the law, and, in effect, make new laws. It is impossible, in

written statutes, to provide for all the particulars and details which may arise in the administration of the law. The statutes are general in their terms; they embody principles of justice. The courts apply the law to particular cases.

The decisions of higher courts have the force of law with lower courts. As these decisions multiply, the additions to the law from this source come to be of great importance.

The legislative, executive and judicial work are not entirely in the hands of separate officers. The local boards in counties, townships and school districts, and the town council, have both legislative and executive functions. The mayor, as member of town council, has legislative duties; he is chief executive officer of the town, and he may be the chief judicial officer of a town. The justice of peace has chiefly judicial duties, but he has some executive duties.

There are acts of government which are not easily classified, and it is not wise to push this division into departments too far. Such a division is useful so far as it is an aid to the understanding of government. If it is carried out too minutely, it becomes a source of confusion. A court cannot perform its work without a ministerial officer to execute its processes. Does this officer belong to the executive or judicial department? A justice of the peace is his own clerk, keeps his own records. The district and circuit courts have their records kept by the county clerk. To which department of government does the county clerk belong? These are fruitless questions. If you know what constables, sheriffs and marshals do, and what clerks of courts do, you have all that is essential. It is a matter of little consequence where they are classified. It is only among the higher officers of government that this division into departments is of real importance.

OUTLINE OF THE THREE DEPARTMENTS OF GOVERNMENT IN THE STATE.

I. Legislative.	1. { GENERAL } Senate. { ASSEMBLY. } House.	Make general laws for the State, and provide for support of State institutions.
	2. COUNTY SUPERVISORS.	Establish local institutions and provide for the support of local government.
	3. TOWNSHIP TRUSTEES.	
	4. SCHOOL BOARD.	
	5. TOWN OR CITY COUNCIL.	Makes laws for government of Town, and provides for support of Town government.
II. Executive.	1. STATE	{ Governor. Lieutenant-Governor. Secretary of State. Auditor. Treasurer. Register. Superintendent of Public Instruction. Officers in charge of State Institutions.
	2. COUNTY	{ Board of Supervisors. Auditor. Treasurer. Recorder. Sheriff. Coroner. Clerk. Surveyor. Superintendent.
	3. TOWNSHIP	{ Road Supervisors. Trustees. Clerk. Assessor. Justices. Constables. School Officers.
	4. TOWN OR CITY.	{ Mayor. Recorder. Council. Treasurer. Assessor. Police.
III. Judicial.	1. SUPREME COURT.	
	2. COURTS OF RECORD.	{ District Court. Circuit Court.
	3. JUSTICE'S, MAYOR'S, AND POLICE COURTS.	

CHAPTER V.

THE STATE AND NATIONAL GOVERNMENT.

There are other advantages of government which the people of Iowa enjoy in common with all the people in the United States. There are, altogether, thirty-eight states in the Union. Each state has a government which performs nearly the same acts as those performed by the state of Iowa. The government of a state is limited strictly to its own geographical boundaries. A man commits a crime and escapes from the state; the state has no power to bring him back. A law of the United States enables the state to do this. A debtor changes his residence beyond the limits of the state; the creditor can find no power in the state to bring him back. A law of the United States gives the creditor all the benefits of the courts in the state where the debtor is found, that the citizens of that state enjoy. If local prejudice prevents a litigant from another state from securing justice, he can bring his action in a United States court.

A citizen traveling in a foreign country has no protection from his state government. The United States government has officers placed in all the leading cities frequented by American travelers and traders, to look after their rights and interests. Mr. Parsons, an American citizen, was recently murdered in Turkey. No one thought of asking in what state Mr. Parsons was born, or in what state he lived. It was the United States government which demanded of the Turkish government that the murderer of Mr. Parsons should be punished.

Persons in the states communicate through the mails, with all parts of the world. This business is entirely in the hands of the national government. It is the part of the United States government with which we are most familiar. Postmasters and mail agents are everywhere seen, and the work which they perform brings them in contact with all the people. A post-office is located in every town and neighborhood, but the postal service is not local, it is national and international; it involves business transactions with all civilized nations. It belongs, therefore, to the national and not to state government.

The United States government supplements the government

of the state, in that it enables the state to recover its escaped criminals; it enables the citizen of a state to enforce his claims against citizens of other states, and it assists the state, in case of rebellion or invasion, to protect its citizens and maintain order. The United States government keeps the peace between the states. They have no dealings with each other except under United States law, or through United States officials. The state government is limited to matters of local interest. The United States government is limited to matters of national interest. All dealing with foreign nations, all dealing between the states, and a few matters of common interest to the people in the nation, are attended to by the national government.

In addition to the postal service one of the greatest blessings secured to the people through national government, is free intercourse and commerce throughout all the states and territories. Business and travel know no state lines. There is a common protection, a common administration of justice. All labor and all produce are free to find and enjoy the best markets. In order to secure to all sections of the nation the full advantages of this free commercial intercourse, there is need of a common standard of value. This is secured by the United States government fixing upon a coin of a given weight and purity, as the standard of value, and forbidding to the states the right to coin money, or to make anything a legal tender except coin established by the national government. All civilized nations use gold or silver as a measure of value, but, as a matter of convenience, paper bills, promising to pay coin, have come into general use in effecting exchanges. These bills have no value except as they enable the bearer to secure the coin of which they are the promise. Such bills have sometimes been issued by state banks, and at other times by national banks. But, to secure equal protection to all sections, it is necessary that such bills should be under the control of the national government.

The form of the United States government is similar in many respects to the state government. It has a legislative department, called Congress, consisting of two houses; Senate and House of Representatives. The Senate has seventy-six members and the House two hundred and ninety-three.

There is an executive department, of which the President is the head. This department is charged with the duty of carry-

ing into effect the laws of Congress in every part of the world.

There is also a judicial department, which interprets the laws and assists the executive in carrying the laws into effect.

We have seen in the state of Iowa that one hundred and fifty men are chosen to make the laws for the government of the state, and fifty thousand officers are chosen to carry the laws into effect.

In the general government three hundred and sixty-nine men are chosen to make the laws, and more than sixty thousand are selected to carry the laws into effect.

In the state government, of the fifty thousand chosen to administer the laws, the greater part spend only a small portion of their time in the work of their office, and many of them get no pay for what they do. In the United States government, the greater part of the sixty thousand chosen to execute the laws, are expected to spend all their time in the service of government, and they are paid for their entire time.

The filling of nearly all of the state executive offices, is put into the hands of the towns, townships, school districts and counties, and the officers are chosen by the votes of their neighbors, in whose behalf they administer the laws.

One executive office of the United States is filled by an election. This is the Presidency. The other executive officers are appointed. There are more than sixty thousand of them. Their duties require that they shall be scattered in every part of the country, and many of them in other parts of the world. To secure the proper persons to fill all these offices, and to secure efficiency, economy and honesty in the work of all these officers, is an arduous task. This task is laid upon the President. He either makes the appointments himself, or appoints other men who do this. The appointments to the chief offices are made by the President and confirmed by the Senate.

From these facts it appears that there is a vast difference between the executive department of the state of Iowa and that of the United States government.

The governor of the state has very little to do in the work of executing state law. The President of the United States is made personally responsible for the doing of a work that requires the constant labor of more than sixty thousand persons. The work is of many kinds and in many places, and he must find his men and do the work.

If the state of Iowa should abolish all township lines, all

county lines, and all city limits, and should make it the duty of the governor to find and appoint to office, all the persons necessary to carry all the laws of the state into effect, then the executive of the state would be similar to the United States executive. The United States executive is centralized and personal; the state executive is decentralized and in the hands of local municipalities.

The courts of Iowa and the courts of the United States have many points of similarity. The Supreme Court of Iowa has five judges, and hears appeals from district and circuit courts. The Supreme Court of the United States has a chief justice and eight associate judges. It has original jurisdiction in cases affecting ambassadors and states, and hears appeals from district and circuit courts of the United States. Iowa district and circuit courts number fourteen each. They have the same geographical limits, and, in ordinary cases, concurrent jurisdiction. The circuit courts of the United States are nine in number, and the district courts are forty. They have concurrent jurisdiction in some cases, but the circuit court is a higher court, and, in some cases, hears appeals from the district court; in other cases, the appeal from the district court is to the supreme court.

There are United States commissioners who hold preliminary examinations in cases of persons charged with crime against the United States. These officers do a work corresponding to that of the justice of peace in cases of serious crime—examine and commit to prison the person against whom sufficient evidence of crime has been brought. The person is then held till the case can come before a grand jury, and a district or circuit court of the United States.

Besides the supreme court, circuit and district courts and United States commissioners, there is a court of claims, in which claims against the United States are heard and adjusted. There are also courts for the government of territories, and the District of Columbia.

The judges in Iowa are all elected by popular vote, for a term of years, two being the shortest and six the longest term. United States judges, commissioners, marshals, clerks, and all who have anything to do with judicial work are appointed. The judges are appointed for life, or during good behavior.

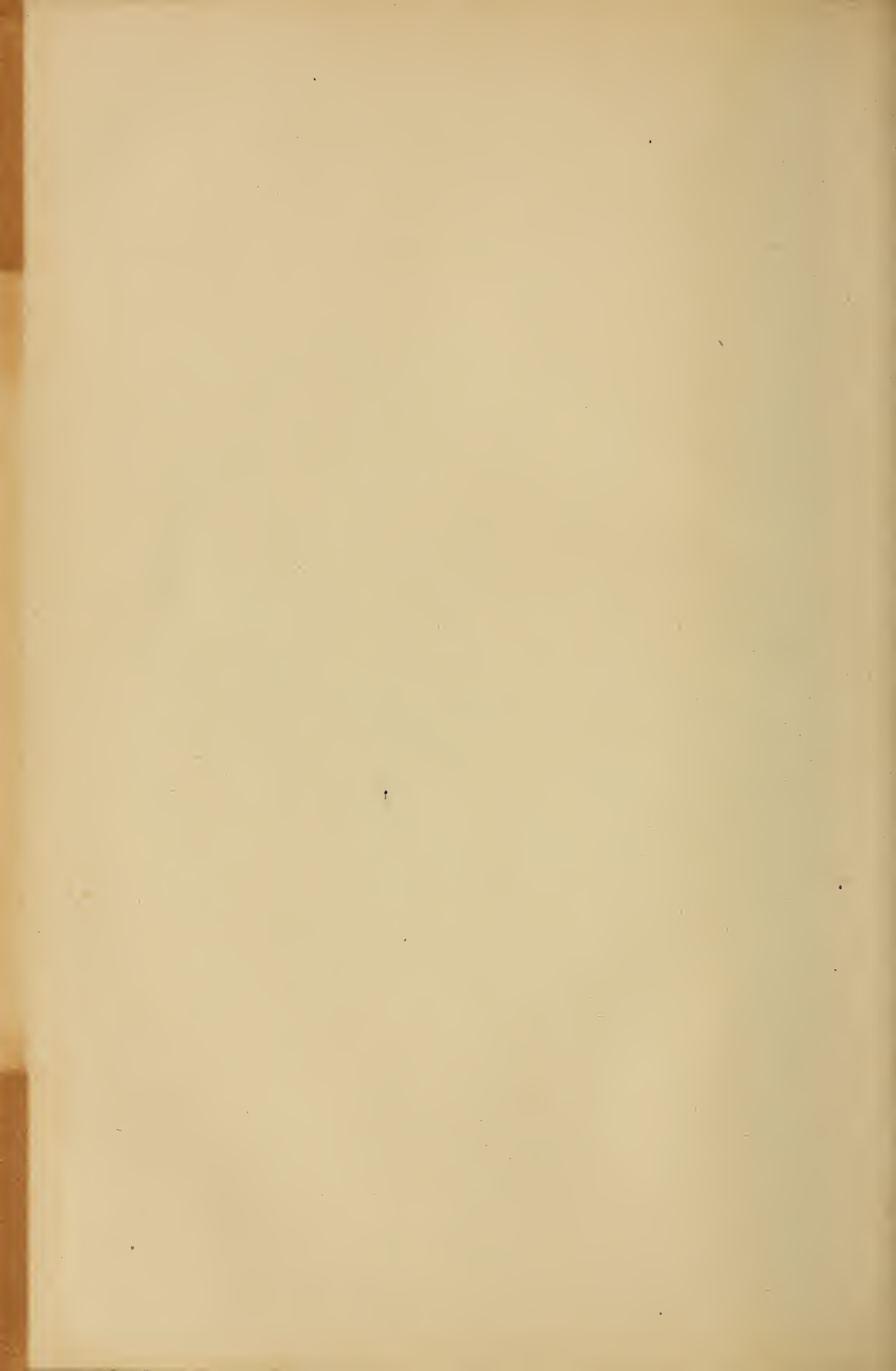
All together, those who serve and receive pay from the United States government in all departments during each

year, are about one hundred thousand, not including the army and navy. Of these, all except congressmen, president and vice-president are appointed or hired. There is thus a great army of officials and employes dependent upon the government. Since 1829, it has been customary to appoint to office only the members of the political party which has succeeded in electing the president. Under this system, our presidential elections become a contest, not for one place of trust and profit, but for a hundred thousand. If one candidate is elected, a hundred thousand men are in danger of losing their places; an opposite result disappoints a hundred thousand more, who expect to get desirable positions. Two hundred thousand men have a personal and pecuniary interest in the results of a presidential election. With political parties almost equally divided, the change of a few hundred votes will sometimes determine the result; and, as there are already thousands actuated by pecuniary and personal considerations, the temptation is very strong to extend pecuniary considerations to the few hundreds more necessary to secure the prize. While we had as a political issue an institution which involved the ownership of four millions of slaves, the contest for office was overshadowed by a real political question. But with the disappearance of this overshadowing issue, the contest between political parties becomes more and more a contest for the personal and pecuniary advantages of office. Political questions hold a secondary place, and are often put forward as mere mask. In such a contest, the most unscrupulous enjoy great advantages.

In our state elections, each office stands on its own merits. There are usually just two men who have a personal and pecuniary interest in the result of the election to each office. The prize is just what it seems to be, an office and a salary, nothing more. In such an election, personal and pecuniary considerations have little effect on the election. Voters are influenced by political questions. Candidates have no patronage to offer. They promise, instead, some public advantage, some improvement in the government. The overpowering personal and pecuniary influences can be removed from our national elections by ceasing to treat the thousands of offices as a political prize—that is, by filling the offices with sole reference to fitness for the duties. This was the policy introduced by Washington, and continued with little modification till Jackson inaugurated the spoils system.

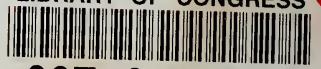
Thus far, nothing has been said of our written constitutions. Those who are familiar with the facts of state and national government have already mastered a large part of these constitutions. These documents simply say that the various departments of government shall exist, and the various officers shall do the things which they are seen to be doing. These constitutions also forbid the government to do certain things which the people who ratified them feared that the government might do, to the injury of the people, if they were not expressly forbidden. The national constitution forbids certain things to the states; it confers certain powers upon the United States government. It is understood that the state government has a right to perform any act of government not forbidden in the national or state constitution, and that the national government has no right to interfere with the state in the exercise of its constitutional powers.

Questions of constitutional law and interpretation should not be introduced until after a thorough mastery of the facts of government. Our written constitutions are the outgrowth of long-established habits of government. Thousands of years before written constitutions were thought of, the Saxon race had a habit of attending to their own local affairs. When you begin the study of town and township government, you reach at once what is in reality oldest and most fundamental in our constitution. Out of this habit of local self-government, so firmly fixed that no tyrant could ever destroy it, has come the power of the people in national government. The national government and national constitution is understood, when it is approached step by step from local government. The attempt to reverse this order, leads to confusion and error.





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